

## **REMARKS**

This paper is intended as a full and complete response to the Office Action dated July 31, 2008, having a shortened statutory period for response set to expire on July 31, 2008. Applicant respectfully requests entry and consideration of the following amendments and remarks.

Claims 1-21 are currently pending in the Application.

Claims 1, 6, 14 and 15 were Previously Presented.

### **I. Claim Rejections – 35 USC § 103**

The Office Action rejected claims 1-21 under 35 USC § 103 (a) as being unpatentable over *Swartz et al.* (US Patent Publication 2002/0020629) in view of *Bunte et al.* (US 5,873,070) in further view of *Connolly et al.* (US Patent Publication 2002/0017567).

Claim 1 requires “order filling applications software residing in the memory of the wearable mobile computer adapted for communicating using the text-to-speech software with a user and receiving communications from the user using the voice recognition software.” Neither *Bunte et al.* nor *Swartz et al.* nor *Connolly et al.* disclose order filling software.

The previous office action has cited *Bunte et al.* as disclosing text to speech software on a wearable mobile computer which and ROM storage which the previous office action interpreted as a software repository capable of communicating text to speech and receiving communications from the user using the customizable voice communications system. However, there is no disclosure, an not even a suggestion that the wearable mobile computer contain order filling software only that there be some software for facilitating the text to speech functions.

In sharp contrast *Bunte et al.* only discloses memory for a voice communication system. (*Bute et al.*, Col. 8 line 65 to Col. 9, line ). The voice communications system only relates to the text to speech and voice recognition aspects of the disclosed system. There is no teaching or suggestion that wearable device contain order filling software.

*Connolly et al.* appear to be disclosed for the inclusion of a hand help terminal which transmits collected data via a radio frequency transceiver to a remote host or systems manager. However, there is no teaching or suggestion for order filling software contained on the wearable device.

Additionally, claim 1 requires that he display comprise a “touch screen.” There is no teaching or disclosure found in the prior art that the display be a touch screen for so that the display can also serve as the tactile input device.

Claims 2-21 depend from claim 1 and contain all the limitations there of. Therefore applicant believes that claims 2-21 are patentable over the cited prior for at least the reasons set forth with respect to claim 1. Reconsideration of claims 1-21 is respectfully requested.

Applicant appreciates the Examiner’s time and attention to this matter. Applicant believes no new matter has been added with any amendments that have been made. Applicant believes claims as now provided are in condition for allowance. Reconsideration of this application is respectfully requested.

Respectfully submitted,

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